

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In re:)	Chapter 13
)	
COREY FOX)	Case No. 16-12610
)	
Debtor)	Hon. Deborah L. Thorne
)	
)	

NOTICE OF MOTION

To: - Corey Fox, 8903 S. Corcoran, Hometown, IL 60456
- * Patrick Layng, U.S. Trustee, 219 S. Dearborn, Suite 873, Chicago, IL 60604
- * Marilyn O. Marshall, Trustee, 224 S. Michigan Avenue, Suite 800, Chicago, IL 60604

See attached service list of all creditors, all of whom were served via first-class mail

PLEASE TAKE NOTICE that on **Monday, April 25, 2016, at 9:00 a.m.**, we will appear before the Honorable Deborah L. Thorne at the Dirksen Federal Courthouse, 219 S. Dearborn, Chicago, IL 60604, in Courtroom 613, and then and there present the attached **Motion to Extend Automatic Stay**, a copy of which is attached hereto and served upon you herewith.

By: /s/ Justin R. Storer
Attorney for the Debtor

Justin R. Storer (ARDC# 6293889)
Lakelaw
53 W. Jackson, Suite 1610
Chicago, IL 60604
847.249.9100

CERTIFICATE OF SERVICE

On April 13, 2016, the undersigned certifies that on this date, he caused a copy of the above document to be served upon each person shown on the within Notice, by first class United States Mail, with postage prepaid, at Chicago, Illinois. Those marked with an * were served via CM/ECF, the Court's electronic notification system.

/s/ Justin R. Storer

6 16:44:16 Desc Main
Americas Servicing Company
PO Box 10328
Des Moines, IA 50306-0328

Codilis and Associates
15W030 N. Frontage Road
Burr Ridge, IL 60527-6921

Northwest Collectors
3601 Algonquin Road
Rolling Meadows, IL 60008-3143

Stellar Recovery
1327 Highway 2 West
Suite 100
Kalispell, MT 59901-3413

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MOTION TO EXTEND AUTOMATIC STAY

NOW COMES the Debtor, Corey Fox, by and through his attorneys at Lakelaw, and hereby respectfully request this Honorable Court enter an order extending the automatic stay in bankruptcy for their case until such time as such case is dismissed, discharged, or the stay is modified by a party in interest, after notice and hearing, as to that party in interest only. In support thereof, the Debtor states as follows:

Jurisdiction and Venue

1. This Court has jurisdiction over this Application pursuant to 28 USC §§ 157 and 1334. This matter is a core proceeding within the meaning of 28 U.S.C. § 157(b)(2).
2. Venue is proper in this Court pursuant to 28 USC §§ 1408 and 1409(a).
3. By Internal Operating Procedure 15 of the United States District Court for the Northern District of Illinois, the District Court has referred all bankruptcy cases to the Bankruptcy Court for initial determination.

Factual and Procedural Background

4. The Debtor is a union carpenter. After a temporary reduction in hours, he found himself a couple months behind on his mortgage, soliciting the advice of an organization headquartered in Florida called Ocean Legal Group.
5. After various efforts at mortgage modification failed, Ocean Legal Group counseled the Debtor to file a chapter 7 bankruptcy petition, to forestall the judicial sale of his property.

6. On January 25, 2016, the Debtor filed Northern District of Illinois bankruptcy case 16-02087, a chapter 7, pro se, on the advice of Ocean Legal Group. Ocean Legal Group advised him to file a choppy and incomplete petition as a delay tactic.

7. That case was ultimately dismissed for failure to file required documents.

8. For that reason, there is no original schedule I or J to tender this Court; the Debtor is mindful that this Court's procedures request both original and updated schedules I and J, but the Debtor requests that requirement be waived in the instant matter.

9. The Debtor now endeavors to proceed with experienced counsel in chapter 13; all his documents are on file, as is a plan that will seek to cure the ultimate arrearage claim of his mortgage lender/servicer, the Debtor's budget would allow for a higher plan payment in the event their allowed claim is higher than anticipated, and the Debtor proceeds in good faith as to his petition and as to his plan.

10. (The undersigned is in the process of reviewing records and correspondence as to Ocean Legal Group, and intends as of this writing to issue demands for discovery to Ocean Legal Group pursuant to Rule 2004, and, as may be appropriate, will bring any concerns to the attention of the United States Trustee and this Court.)

Relief Requested and Basis for Requested Relief

11. By this Motion, the Debtor seeks an order under Section 362(c)(3)(B) extending the automatic stay as to all creditors until the case is dismissed or discharged, or until a party in interest is granted relief as to the automatic stay for good cause shown.

12. Under 362(c)(3)(A), the automatic stay terminates with respect to the Debtor on the 30th day after the filing of the later case, unless, pursuant to 362(c)(3)(B), on motion of a party in interest, the court extends the automatic stay, after notice and hearing, subject to a demonstration that the filing of the later case is in good faith as to the creditors to be stayed.

13. The Debtors' good faith in the instant matter is shown, by clear and convincing evidence, given that they have had a substantial and positive change in circumstances (William has a job and payments will be made via payroll deduction), and discloses substantially liquid assets which may be .

Notice

14. Notice of this Motion has been given to: the Office of the United States Trustee, the standing Trustee, all creditors, and to the law firm representing the Debtor's secured creditor both in Bankruptcy and at Cook County Chancery Court.

WHEREFORE the Debtors, Corey Fox, prays this Court enter an order extending the automatic stay as described herein, and issuing any other relief that this Court may deem just and proper.

Respectfully Submitted,
Corey Fox
By: /s/ Justin R. Storer

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